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18384 U.S. PTO

Box: PATENT APPLICATION

NIP-154-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Accompanying Continuation Application under
37 CFR 1.53(b):

Prior Application:

APPLICANTS: M. IZAWA et al
Serial No. 09/373,723
Filed: August 13, 1999

Group Art: 1763
For: A DRY ETCHING METHOD

REQUEST FOR CONTINUATION APPLICATION
UNDER 37 C.F.R. 1.53(b)

Box: Patent Application
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application
under 37 C.F.R. 1.53(b) of pending prior application Serial
No. 09/373,723 filed August 13, 1999, entitled A DRY ETCHING
METHOD by all of the inventors named in the prior application.

1. Enclosed is a copy of the prior application, as
originally filed.
2. Since some of the inventors of the claimed subject
matter of the present invention are different from the
inventors of prior pending application Serial No. 09/373,723,
a new declaration and an assignment to the same assignee will
be filed separately at a later date as soon as they are
received.

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3. The Filing Fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW
PLUS ANY CLAIMS ADDED BY ACCOMPANYING PRELIMINARY AMENDMENT**

Basic Fee						\$ 770.00
Total Claims	9	-	20	=	0	x 18 = \$ 0.00
Independent Claims	2	-	3	=	0	x 86 = \$ 0.00
Total Filing Fee						\$ 770.00

4. A Credit Card Payment Form including the amount of \$ 770.00 is enclosed to cover the Filing Fee.

5. Cancel claims 2-22 before calculating the Filing Fee. A Preliminary Amendment is being filed herewith.

6. The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 50-1417.

7. Amend the specification by inserting, before the first line:

--This is a continuation application of U.S. Serial No. 09/373,723, filed August 13, 1999.--.

8. After completion of the filing of this application, prior U.S. Application Serial No. 09/373,723 will be abandoned.

9. Formal drawings are enclosed, nine (9) sheets, Figs. 1-14.

10. The power of attorney is set forth in the Declaration in the prior application or an associate power of attorney is hereby granted to:

Jeffrey M. Ketchum, Registration No. 31,174
Shrinath Malur, Registration No. 34,663
John R. Mattingly, Registration No. 30,293
Daniel J. Stanger, Registration No. 32,846
Gene W. Stockman, Registration No. 21,021.

There is no change in the correspondence address.

Address all future correspondence to:

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(703) 684-1120.

11. The prior application is assigned to Hitachi, Ltd.

12. Priority of Japanese patent application No.

11-224080 filed August 6, 1999 is claimed under

35 U.S.C. § 119. **The certified priority document has been
filed in the parent application.**

The undersigned hereby declares that no matter contained
in the specification, including the claims, and drawings filed
in the present continuation application would have been new
matter in the prior application, as originally filed on August
13, 1999.



Gene W. Stockman
Registration No. 21,021
Attorney for Applicants

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Date: October 2, 2003